

**MINUTES OF THE
LAKE COUNTY PLANNING COMMISSION**
June 26, 2007

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Chairman Brotzman called the meeting to order at 7:05 p.m.

ROLL CALL

The following members were present: Messrs. Adams, Brotzman, Franz (alt. for Schaedlich), Klco, (alt. for Troy), Siegel, and Zondag, and Messes. Hausch and Pesec. Staff present: Messrs. Webster, Radachy, and Ms. Myers.

MINUTES

Mr. Brotzman corrected the motion on the second paragraph, second line of page eight to read "the motion as amended", not the amendment.

Mr. Brotzman stated that within the context of these minutes there was some discussion on the Robert's Rules of Order and the procedures used to conduct this meeting. He asked if anyone had any questions or comments on the manner in which we will be conducting our meetings. Mr. Adams confirmed that the meetings were going to continue the way they had earlier.

Mr. Adams suggested that all the section numbers on pages six and seven may not be formatted in the proper text (i.e., 16.04, 7). Staff was instructed to check the Leroy Township text for the correct formatting and to change these references if necessary.

Mr. Siegel moved and Ms. Pesec seconded the motion to accept the minutes of the May 29, 2007 meeting as corrected.

Six voted "Aye".

FINANCIAL REPORT

Mr. Adams moved to accept the Financial Report for May, 2007 as submitted. Mr. Klco seconded the motion.

Six voted "Aye".

PUBLIC COMMENT

There was no public comment.

Mr. Zondag and Ms. Hausch arrived.

LEGAL REPORT

Mr. Eric Condon stated that Mr. Michael DeLeone returned from the last meeting with one question concerning the way meetings are to be run. Mr. Condon asked for the members to let him know if they have any further questions and the Prosecutor's Office will look into them. There had been some talk of bringing in an expert on Robert's Rules of Order on this matter. He also stated that this Commission is not necessarily slaves to this book. Prosecutor Charles Coulson will continue to request motions be put forth in a positive fashion so that we are not trying to figure out double and triple negatives. Mr. Condon asked that any further questions be put in writing and faxed or sent to the Prosecutor's Office.

DIRECTOR'S REPORT

Mr. Webster informed the members that the Lake County Coastal Plan Committee would meet tomorrow night, June 27, 2007 at 6:30 p.m. at the Fairport Senior Center.

The Lake County Port Authority members will be announced at the Lake County Board of Commissioners meeting at 10:00 a.m. Thursday, June 29, 2007. There will also be a community introduction function at 5:00 p.m. at Hellriegel's Inn on Thursday. Mr. Webster will be attending on behalf of the Community Improvement Corporation.

The North Perry Village Comprehensive Plan final draft is completed. Mr. Tasman is hoping to have a final draft of the Madison Village Comprehensive Plan done by July 17, 2007. Shortly after that, the Madison Township Comprehensive Plan draft should be ready.

ANNOUNCEMENTS

Mr. Radachy announced that the AGLT (Ashtabula, Geauga, Lake, and Trumbull Counties) Planning and Zoning Workshop on June 1, 2007 was attended by 116 people. There was a lot of positive feedback from the attendants. He thanked Ohio State Extension employees for helping with registration and all the support they gave us. The Commission members who attended the workshop thought it was well run, had good topics, and asked when the next one would be. They were told probably next June in Geauga County.

SUBDIVISION REVIEW

There were no subdivisions recorded, no improvement plans accepted by the Lake County Commissions and no preliminary plans, final plans or variances filed since the last meeting.

LAND USE AND ZONING REVIEW

Mr. Radachy explained there were two cases to be presented. One went to the Land Use and Zoning Committee and one came in today from Painesville Township. The Painesville Township request for consideration letter had been mailed on June 14 and was not returned to the Township until this morning.

Concord Township – Proposed District Amendment from B-1, B-2, BX, RD-2, R-1 to GB

After the Auburn-Crile Road Corridor Study was completed, Concord Township needed to take steps to change the existing districts into the Gateway Business District. The process of doing this was discussed by Mr. Radachy. There were two things yet to be done. One was to rezone the land along Auburn Road to Gateway Business (GB) and the other to examine access management, which is currently being done by the County Engineer.

Mr. Radachy showed the existing land use breakdown of the Auburn-Crile corridor area and the proposed breakdown from the Auburn-Crile plan of about 240 acres of land. There is a large amount of vacant land and some commercial and light industrial (Normandy) uses already in this district. If changed, about 84% of the land involved would have conforming uses. The nonconforming uses would not really affect the GB District in the future. The permanent parcel numbers potentially changing from BX to GB are: 08A-19-2, -5, -6, -21, -23, 24, 26, 28; 08A-888-001-100; 08A-20-3, -4, -5, -6, -7, -10, -12, -17, -20, -21, -22, -26, -27, -36; and 08A-21-20, -22, -23, -46, -53, -54, -55. Parcel number changes from RD-2 to GB are: 08A-21-19, -37, -42, -43, -45, -46, -47, -49, -50; 08A-20A-1, -3, -4, -5, -30, -31, -32, -33, -35; potential changes from B-1 to GB: 08A-21-28, -29; R-1 to GB changes: 08A-21-30; and B-2 to GB change: 081-21-32.

Concord Township went 1,000 feet further down Auburn Road instead of the 500 stated in the Plan. All of Auburn Career Center was left as residential. Originally, they were thinking of rezoning the Tech Center and the building they have to the north into the Gateway Business District, but decided not to have educational uses in this district.

Mr. Adams was concerned about restrictions being made in the educational area so residential homes could not be built if something should happen to the school. Mr. Radachy stated the only restriction was that Auburn Career Center currently owned all the property.

Mr. Zondag asked if traffic issues were discussed in this area. Mr. Radachy said they did discuss an additional cross street along the corridor to attach to S.R. 44. The County Engineer is in the process of doing a traffic impact study in this corridor and will determine the best location to cross S.R. 44. Auburn Road is to be widened and the County Engineer will address this issue.

Mr. Webster said that the Commission could not base their decision on traffic issues because they are fixable. Zoning does affect the traffic in an area. The County Engineer will look at this when making his determinations on traffic needs and improvements.

Land Use and Zoning recommended this district change because it conforms to the 2006 Auburn-Crile Corridor Study.

Ms. Pesec asked for a clarification of Gateway Business (GB). Mr. Radachy answered that it is mostly offices and retail. The RD-2 is research development facilities with offices as an accessory use and a limited amount of industrial. It allows for a company to make a couple of their prototypes on a limited basis. The hospital will be a conditional use in the GB District and no longer a conditional use in the RD-2 as well as all the other ancillary health services.

The GB District does allow for accessory uses to cover things like clinical trials for research purposes. These uses can only be in affiliation with the hospital.

Mr. Adams moved to accept the Land Use and Zoning Committee's recommendation to approve the proposed district changes from B-1, B-2, BX, RD-2, R-1 to GB. Mr. Siegel seconded the motion.

All voted "Aye".

Painesville Township – Proposed District Amendment from R-1 and B-2 to B-3

Mr. Radachy explained this amendment did not go before the Land Use and Zoning Committee. The land involved in this district change consists of 1.75 acres at the corner of Bank St. and Liberty St. in Painesville Township. It is currently zoned R-1 and B-2 and they are requesting a change to B-3. The current use is a gas station, a non-conforming use in B-2, a parking lot, a vacant house and an ice cream stand. The site will be located by S.R. 84 and the re-routed S.R. 86. The 1996 Comprehensive Plan recommended commercial zoning on all four corners. The proposed change will meet the recommended zoning of this Plan and would change the current nonconforming use. Part of the reason the owner asked for the change was to expand the gas station. The new plans for the gas station will need to include a 50-foot buffer unless the Board of Zoning Appeals varies the requirement.

Mr. Siegel moved to recommend approval of the Painesville Township zoning amendment request for parcel numbers 11-A-007-B-00-002, 003, 004, 005 and 006 from R-1 and B-2 to B-3 based on the fact that it meets the Comprehensive Plan. Mrs. Hausch seconded the motion.

The Chair started to request a vote when Mr. Zondag spoke up and recommended sending a copy of the section dealing with landscape architect standards for buffers from the Architectural Graphic Standards by Ramsey/Sleeper to educate the Township. He also would like copies of these standards to be used whenever something needing landscape architect standards was being planned.

Ms. Pesec recommended doing the same with lighting standards and recommendations.

Mr. Siegel moved to add the amendment to the motion to send Painesville Township documentation on landscape architecture and lighting standards as suggested by Mr. Zondag and Ms. Pesec. Ms. Hausch seconded the motion.

All voted "Aye".

Mr. Radachy stated there is nothing in the Township's text concerning lighting.

The Chairman stated there being no further discussion or amendments, all in favor of the motion as amended signify by saying "Aye".

All voted "Aye".

REPORTS OF SPECIAL COMMITTEES

Mr. Brotzman said there is a committee in place to discuss subdivision issues when there are apparent discrepancies between wetland statements made by developers in their preliminaries and what the Lake County Soil & Water Conservation District might feel is really there. Members of this committee are Ms. Pese, Mr. Brotzman, Mr. Radachy, Mr. Scharver from Soil & Water, and a developer (to be named). Their first meeting will be held on July 17, 2007.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Minor Subdivision Fee Changes

The Lake County Subdivision Regulations have been signed by everyone and are currently in the Recorder's Office. When they are recorded, the developers will receive a 30-day notice that they have been changed. By July 31st, lot split plats will be on the books for platted subdivisions. A fee needs to be established. The staff suggested the schedule below:

Lot Split Plat	1 to 10 Lots	\$ 100 per lot
Lot Split Plat	> 10 Lots	The same as the corresponding final plat.
Lot Split	Variance	\$ 100
Final Plat	1 to 15 Sublots	\$1,000
Final Plat	16 to 30 Sublots	\$1,500
Final Plat	31 to 50 Sublots	\$2,000

Staff recommended keeping the same fee as for a regular subdivision for a split plat over ten lots. Otherwise the developer would be paying more for a lot split plat than a final plat.

Staff also commented that, with the septic rules in flux, they would be receiving a lot of complaints about our regulations on requiring septic approval prior to the lot split approval. A lower fee of \$100.00 versus \$300.00 is suggested for a lot split variance. Lot splits to be done on land smaller than five acres would require a variance every time lots are proposed. Staff felt a \$300 fee would be too high for this and suggested a \$100 fee.

The only lot splits involved in this process are those created when re-dividing lots that have already been divided in a major subdivision. The developer would have to do a plat and all the owners involved would do mortgage releases and would have to sign the plat and come before the Commission for approval or denial. Then it would be signed by all the owners involved, Trustees, County Engineer, County Board of Commissioners (if there are any new easements), County Prosecutor and the last to sign would be the Secretary of this Commission.

The Prosecutor's Office was consulted and approved the legal use of a lot split plat and the establishing of fees. Other surrounding counties already have this system in place and developers are familiar with it.

Mr. Adams moved to accept the recommendation of the staff to establish lot split plat and variance fees as submitted. Mr. Klco seconded the motion.

All voted "Aye".

PUBLIC COMMENT

There was no public comment.

The Chairman called for an executive session to discuss staff issues.

Mr. Zondag moved to go into executive session at 8:04 p.m. and Mr. Siegel seconded the motion.

All voted "Aye".

EXECUTIVE SESSION

ADJOURNMENT

Mr. Zondag moved to return to the regular Lake County Planning Commission meeting at 9:02 p.m. and Mr. Siegel seconded the motion.

All voted "Aye".

Mr. Siegel moved to adjourn the regular meeting at 9:03 p.m. and Mr. Zondag seconded the motion.

All voted "Aye".